

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03CV12247 WGY

MODERN CONTINENTAL )  
CONSTRUCTION CO., INC., )  
Plaintiff )  
)  
v. )  
)  
RLI INSURANCE COMPANY, )  
Defendant )

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

AMENDED STIPULATION TO ENLARGE TIME FOR RLI INSURANCE COMPANY TO  
RESPOND TO MODERN CONTINENTAL CONSTRUCTION'S COMPLAINT

RLI Insurance Company ("RLI") and Modern Continental Construction Co., Inc. ("MCC") file this amended stipulation to enlarge time, as permitted by Fed.R.Civ.P. 6(b).

A. Stipulation

1. Plaintiff, MCC, has sued defendant, RLI, demanding payment pursuant to an RLI insurance policy.
2. On March 5, 2004, MCC served its complaint on the defendant, RLI.
3. RLI's responsive pleading was due on March 25, 2004.
4. The parties filed an initial stipulation granting RLI an extension until April 26, 2004 to file its responsive pleading.
5. The parties have now stipulated to an additional extension up to and including May 10, 2004 for RLI to file its responsive pleading. This extension is the result

-2-

of an agreement between the parties to discuss the possibility of resolution of this matter without further litigation, and the additional time will not prejudice the rights of any party, is in the interest of justice and is contemplated and specifically permitted by Fed.R.Civ.P. 6(b).

WHEREFORE, the parties ask that after considering the amended stipulation the court enlarge the time for filing the responsive pleading of the defendant, RLI, until May 10, 2004.

Respectfully submitted,

For the Plaintiff,

Eric Eisenberg (EE)  
Eric F. Eisenberg (BBO #544682)  
Hinckley, Allen & Snyder LLP  
28 State Street  
Boston, MA 02109  
(617)345-9000

R.E. Kiely  
Robert E. Kiely (BBO #556640)  
Regan & Kiely LLP  
85 Devonshire Street  
Boston, MA 02109  
(617)723-0901

I hereby certify that this document has  
been served upon all counsel of record  
in compliance with the FRCP

4/26/04